

STATE OF SOUTH CAROLINA

(Caption of Case)

RE: In the Matter of  
The Application of Swiftel, LLC  
for a Certificate of Public  
Convenience and Necessity to  
Provide Local Exchange Telecommunications  
Services

196632  
BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 428 - C

(Please type or print)

Submitted by: Charlotte Lacey  
Address: 1720 Windward Concourse, Suite 115  
Alpharetta, Georgia 30005

SC Bar Number: \_\_\_\_\_

Telephone: 770-232-9145

Fax: 678-775-1195

Other: \_\_\_\_\_

Email: clacey@telecomcounsel.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other: \_\_\_\_\_

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input checked="" type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

**Lance J. M. Steinhart, P.C.**

Attorney At Law  
1720 Windward Concourse  
Suite 115  
Alpharetta, Georgia 30005

Also admitted in New York  
And Maryland

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

December 17, 2008

**VIA OVERNIGHT DELIVERY**

Mr. Charles Terreni  
Chief Clerk of the Commission  
The Public Service Commission  
State of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210  
(803) 896-5100

RE: Swiftel, LLC; Docket No. 2008-428-C

Dear Mr. Terreni:

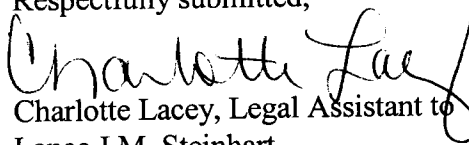
Enclosed for filing are the original Affidavits of Publications and the dates published:

- |    |                           |                  |
|----|---------------------------|------------------|
| 1. | The Florence Morning News | December 4, 2008 |
| 2. | The Greenville News       | December 5, 2008 |
| 3. | The Post and Courier      | December 6, 2008 |
| 4. | The State                 | December 4, 2008 |

Three of the legal notices were published in a timely matter. Despite our best efforts, the Post and Courier published Swiftel's notice one day late (as noted above). We respectfully request that the publication deadline be modified to permit the notice of the Post and Courier.

I have enclosed an extra copy of this letter to be date-stamped and returned in the enclosed envelope provided. If you have any questions, please feel free to give me a call or e-mail at (770) 232-9145 or [clacey@telecomcounsel.com](mailto:clacey@telecomcounsel.com).

Respectfully submitted,

  
Charlotte Lacey, Legal Assistant to  
Lance J.M. Steinhart  
Attorney for Swiftel, LLC

Enclosures

cc: Angie M. Watson  
Lessie Hammonds – ORS via e-mail: [lhammon@regstaff.sc.gov](mailto:lhammon@regstaff.sc.gov)  
Scott Elliott via e-mail: [selliott@elliottlaw.us](mailto:selliott@elliottlaw.us)  
Jackie Livingston via e-mail: [jlivingston@elliottlaw.us](mailto:jlivingston@elliottlaw.us)  
Judy Matthews via email – [judy.matthews@psc.sc.gov](mailto:judy.matthews@psc.sc.gov)

RECEIVED  
2008 DEC 18 PM 4:50  
PUBLIC SERVICE  
COMMISSION  
712

# Morning News

Carolina Publishing Group

## AFFIDAVIT OF INSERTION

STATE OF SOUTH CAROLINA  
COUNTY OF FLORENCE

Personally appeared before me

Carlita Patterson

The Legal Clerk for the Morning News, a daily newspaper published in the  
City of Florence, County of Florence, and the State of South Carolina said  
that the attached advertisement was published on 12/4/08

\_\_\_\_\_, & \_\_\_\_\_

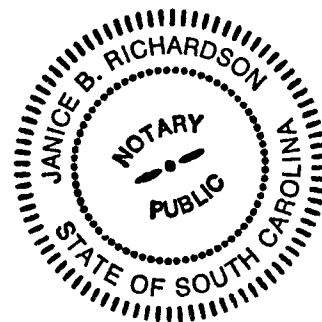
as shown by the files as said company

Carlita Patterson

Sworn and subscribed before me this 4<sup>th</sup> day of Dec., 2008

Janice B. Richardson NS  
Notary Public South Carolina

Commissions expires: My Commission Expires April 18, 2010



310 S. Dargan Street • P.O. Box 100528 • Florence, South Carolina 29501-0528  
843-317-6397 • [www.morningnewsonline.com](http://www.morningnewsonline.com)

A Media General Newspaper Company

SC FILING SERVICE  
COMMISSION

2008 DEC 18 AM 9:50

RECEIVED

Ad # : 174461  
Name (Primary) : SHAKER ADVERTISNG  
Company (Primary) : SHAKER ADVERTISNG  
Street 1 (Primary) : 1408 N. WESTSHORE BLVD., SUITE 508  
City (Primary) : TAMPA  
State (Primary) : FL  
ZIP (Primary) : 33607-  
Phone (Primary) : (708) 383-5320  
Start Date : 12/04/2008  
Stop Date : 12/04/2008  
Publication : FMN - MORNING NEWS  
Class Code : 0705 - LEGALS  
Ad Sales Rep. : jrichardson - JANICE RICHARDSON  
Total : \$260.27

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PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKETING DEPARTMENT  
NOTICE OF FILING AND HEARING  
DOCKET NO. 2008-428-C

Swiftel, LLC ("Swiftel" or "Applicant") has filed with the Public Service Commission of South Carolina ("Commission") an Application for a Certificate of Public Convenience and Necessity for authority to provide re-sold and facilities-based/unbundled network element local exchange services pursuant to S.C. Code Ann. § 58-9-280(B) and Section 253 of the Telecommunications Act of 1996. Swiftel requests that its local service offerings be regulated in accordance with procedures authorized in Order No. 1998-165 in Docket No. 1997-467-C. The Applicant intends to provide local exchange service to customers located in non-rural local exchange carriers' service areas of South Carolina. Swiftel will initially resell local services, and provide local service through the use of unbundled network elements utilizing the facilities of the existing LECs or other facilities-based carriers that presently serve in South Carolina.

A copy of the Company's entire Application can be found on the Commission's website at

[www.psc.sc.gov](http://www.psc.sc.gov) under Docket Number 2008-428-C. A copy of the Application is also available from Scott Elliott, Esquire, Elliott & Elliott, P.A., 721 Olive Street, Columbia, South Carolina 29205. PLEASE TAKE NOTICE a hearing on the above matter has been scheduled to begin at 11:30 a.m. on Monday, February 2, 2009, before Hearing Examiner David Butler, Esquire, in the Commission's Law Library at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210. PLEASE BE ADVISED that pursuant to South Carolina Code of Laws - Section 58-9-280, as amended, the

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COMMISSION

Commission will invoke the 120-day period allowed for consideration of this matter.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before December 29, 2008, and indicate the amount of time required for his presentation.

Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2008-428-C. Any person who wishes to testify and present evidence at the hearing should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at 1401 Main St., Suite 900, Columbia, South Carolina 29211, and Scott Elliott, Esquire, at the above address, on or before December 29, 2008, and indicate the amount of time required for his presentation. Please refer to Docket No. 2008-428-C.

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before December 29, 2008. Please refer to Docket No. 2008-428-C. PLEASE TAKE NOTICE:

Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing. Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service  
Commission of  
South Carolina

Attn:  
Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina  
29211

NOV-25-08  
(December 4, 2008)

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SC PUBLIC SERVICE  
COMMISSION

# The Greenville News

greenvilleonline.com

## Classified Advertising

Date: 12/15/2008

Name: / SHAKER ADVERTISING

1100 LAKE ST

OAK PARK

IL 60301

Ad No: 4418359

Class: 0008 Legal Notices (News)

Rate: Legal Rates


Runs:

Friday, December 5, 2008

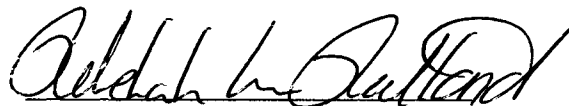
Lines: 147

## AFFIDAVIT

I, Susan F. Mullinax, being the Legal Advertising Agent for *The Greenville News*, do hereby testify that the attached legal ad was published on 147 lines as set forth above, in The Greenville News beginning on 12/5/2008 and ending on 12/5/2008



Susan F. Mullinax  
Legal Advertising Agent



Rebekah Ann Rutland  
Notary Public for the State of South Carolina  
My Commission Expires February 3, 2010

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S.C. PUBLIC SERVICE  
COMMISSION

Post Office Box 1688 \* Greenville, SC 29602  
Phone: 864.298.4100



305 South Main Street \* Greenville, SC 29601  
Toll Free: 1.800.800.5116

Ad Text:

</684>4418359 □  
PUBLIC SERVICE<Qc>  
COMMISSION OF<Qc>  
SOUTH CAROLINA<Qc>  
DOCKETING<qC>  
DEPARTMENT<Qc>  
</676>NOTICE OF FILING<Qc>  
□

AND HEARING<qC>  
□

</684>DOCKET NO. 2008-428-C □

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Necessity for authority to  
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facilitiesbased/unbundled  
network element local ex-  
change services pursuant  
to S.C. Code Ann.  
58-9-280(B) and Section 253  
of the Telecommunications  
Act of 1996. Swiftel requests  
that its local service offer-  
ings be regulated in accor-  
dance with procedures  
authorized in Order No.  
1998-165 in Docket No.  
1997-467-C. □

The Applicant intends to  
provide local exchange  
service to customers locat-  
ed in non-rural local ex-  
change carriers' service  
areas of South Carolina.  
Swiftel will initially resell  
local services, and provide  
local service through the  
use of unbundled network  
elements utilizing the fa-  
cilities of the existing LECs  
or other facilities-based  
carriers that presently  
serve in South Carolina. □

A copy of the Company's  
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2008-428-C. A copy of the  
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quire, Elliott & Elliott,  
P.A., 721 Olive Street, Co-  
lumbia, South Carolina  
29205. □

PLEASE TAKE NOTICE a  
hearing on the above mat'

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2008 DEC 18 AM 9:51  
PUBLIC SERVICE  
COMMISSION

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PLEASE BE ADVISED that pursuant to South Carolina Code of Laws – Section 58-9-280, as amended, the Commission will invoke the 120-day period allowed for consideration of this matter. □

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before December 29, 2008, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2008-428-C. □

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SC PUBLIC SERVICE  
COMMISSION



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Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100. □

Public Service Commission □  
of South Carolina □

Attn: Docketing □

Department □

Post Office Drawer 11649 □

Columbia, □

South Carolina 29211 □

NOV-25-08 □

**THANK YOU FOR YOUR ADVERTISEMENT!**

If I can be of further assistance, please call : Susan  
4229

RECEIVED  
2008 DEC 18 AM 9:51  
SC PUBLIC SERVICE  
COMMISSION

RECEIVED  
2008 DEC 18 AM 9:51  
SO PUBLIC SERVICE  
COMMISSION

THE STATE-RECORD CO., INC.  
Columbia, South Carolina  
publisher of

**The State**

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

Personally appeared before me, Peggy Lawrence, Advertising Sales Support Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing and Hearing – Docket 2008-428-C Swiftel LLC

was inserted in THE STATE, a daily newspaper of general circulation for the State of South Carolina published in the City of Columbia, State and County aforesaid, in the issues of

December 4, 2008

SO. JUD. SERVICE  
NOV 20 2008

2008 DEC 18 AM 9:51

RECEIVED

*Peggy Lawrence*

Subscribed and sworn to before me

on this day December 4, 2008

*Everett F. Harrison*

Notary Public

My commission expires  
March 10, 2013

*"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."*

PUBLIC SERVICE  
COMMISSION OF  
SOUTH CAROLINA  
DOCKETING  
DEPARTMENT

**NOTICE OF  
FILING AND  
HEARING**

DOCKET NO.  
2008-428-C

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Public Service Commission of South Carolina  
Attn: Docketing  
Department  
Post Office Drawer  
11649  
Columbia,  
South Carolina 29211  
NOV-25-08